



Avant

By doctors for doctors

Key support services Physical and mental health and wellbeing



Dealing with the stress of a claim or complaint

Facing a complaint, litigation or a disciplinary hearing is one of the most stressful events a doctor can experience in their career and it carries significant professional and personal impacts. Research looking at the psychological wellbeing of doctors has shown that many doctors describe having a medico-legal complaint as the most traumatic experience in their lives, even when the matter is resolved in their favour.¹

Research

One US study found nearly 40% of doctors who had been sued experienced serious depression after the event, and in another study doctors negotiating the medico-legal process were found to be more prone to the onset of physical illness such as a myocardial infarction or the exacerbation of an existing illness.¹

Other international research has shown that medico-legal actions have potentially negative long-term effects including self-doubt, a loss of confidence and negative impacts on professional identity.¹

Impact

Such events are traumatic partly because they strike at the heart of a doctor's sense of identity and credibility. If pre-existing psychiatric morbidity exists there is a chance it may worsen, which can compromise the wellbeing of at-risk doctors.

The situation will be unique for every doctor facing a claim or complaint and it is normal for a number of feelings to surface.

Exposure to a complaint or negligence claim often involves a traumatic pattern of shock, initial panic, indignation, difficulties with work and home life and often anger or suicidal ideation.¹

Tips for dealing with a claim or complaint

Accept the unpredictable legal environment

An important first step is to recognise that the legal process is unpredictable. Key strategies to manage the unpredictability include:

- familiarising yourself with the legal process
- gathering any relevant documentation
- asking your lawyer to explain points of law and what to anticipate throughout the process
- participating in the process of choosing your experts
- where possible, be engaged and check everything yourself.

Exercise control where you can – make adjustments

Being at the mercy of 'the system' can be distressing. Lack of control during the protracted course of a legal matter presents real challenges for doctors who are used to a high degree of professional autonomy. One way of dealing with this issue is to actively engage in the process as much as possible.

Get to grips with what it all means

It is important to take stock and consider the big picture in complex situations like legal action and disciplinary matters. Take time to think about the meaning of your profession and career.

Focus on coping strategies that enhance wellbeing

Examine how you manage stress. Look for gaps or less healthy strategies and replace these with new ones – get support to do this if you need it. Re-examine your life and restructure it as necessary – this can be an opportunity to put life in perspective and reprioritise.

Jump the support barriers

Research tells us that doctors are reluctant to seek support when they need it and there are many hurdles (both real and perceived) to receiving the care they need.² Faced with the extraordinary stress of litigation or a disciplinary hearing is a time to jump the barriers and make the connections with support as required.

Overcoming the barriers to access support

The barriers outlined above often lead doctors down a path of self-treatment and self-medication which is increasingly regarded as not only damaging but also unethical. Seeking objective external help is essential to pick up on subtle cues, particularly when it comes to mental health issues.

Have your own GP and see them regularly. Avoid treating yourself.

References

1. Nash L, et al. The psychological impact of complaints and negligence suites on doctors. *Australasian Psychiatry* 2004; 12(3): 278-281.
2. National Mental Health Survey of Doctors and Medical Students, *beyondblue*, October 2013.

How can Avant help?

Avant Personal Support Program

Avant's Personal Support Program provides a range of support options to Avant members who are suffering health issues. A central plank is six sessions of confidential, external counselling provided by Benestar, a leading global provider of corporate psychology services.

The counselling service offers objective confidential psychological support and the provision of coping skills for a range of work-related issues such as work stress, issues with patients, personal issues relating to anxiety or depression, and legal issues around medico-legal complaints. Options available include face to face counselling, phone support or video counselling.

Contact: 1300 360 364

Avant Medico-legal Advisory Service

Expert medico-legal advisers provide medico-legal advice and support to Avant members. Available 24 hours a day 7 days a week in emergencies, the service offers legal support throughout a claims process, practical advice to minimise the impact of a complaint or claim, and services to identify your exposure and prevent a recurrence.

Contact: 1800 128 268



External support services

Doctors' Health Advisory Services

Doctors' Health Advisory Services provide confidential and anonymous personal advice to medical practitioners and students facing difficulties, personal crisis and stress.

National support

DRS4DRS

drs4drs.com.au
1300 374 377 (1300 DR4DRS)

Australian Capital Territory

Doctors' Health Advisory Service

24 hour service
dhas.org.au
02 9437 6552

New South Wales

Doctors' Health Advisory Service

24 hour phone assistance
dhas.org.au
02 9437 6552

Northern Territory

Doctors' Health NT

24 hour phone assistance
doctorshealthnt.com.au
08 8366 0250 - Helpline

South Australia

Doctors' Health SA

24 hour phone assistance and clinical services
doctorshealthsa.com.au
08 8366 0250 - Helpline
08 8232 1250 - Office

Tasmania

DRS4DRS

drs4drs.com.au
1300 374 377 (1300 DR4DRS)

Victoria

Victorian Doctors Health Program

vdhp.org.au
1300 330 543

AMA Peer Support Line

8am-10pm 7 days
1300 853 338

Queensland

Doctors' Health in Queensland (DHQ)

24 hour phone assistance
dhq.org.au
07 3833 4352

Western Australia

Doctors' Health Advisory Service WA

24 hour phone assistance
dhaswa.com.au
08 9321 3098

Medical benevolent associations

Medical benevolent associations provide counselling, support and some financial assistance to doctors and their families during times of need.

Victoria: 03 9496 4205

New South Wales and Australian Capital Territory: 02 9987 0504

South Australia: 08 8232 1250

Queensland: 07 3872 2222

Supporting doctors through their lives and careers

Find out more

avant.org.au
1800 128 268



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